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20 Rec'd PCT/PTO 04 FEB 1998
1998
4/1/98

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **RECEIVED**
Richard GRIFFITHS et al. :
Serial No. 08/973,363 : 24 JUN 1998
Filed December 4, 1997 : Legal Staff
: Attorney International Division
263/PPNTIR1172US
AVIAN CHD GENES AND THEIR USE IN
METHODS FOR SEX IDENTIFICATION
IN BIRDS

SUBMISSION OF SMALL ENTITY DECLARATION

Assistant Commissioner for Patents,
Washington, D.C.

Sir:

There is submitted herewith a small entity declaration for the
above-identified application. Please make this document a
permanent part of the application file.

Respectfully submitted,
Richard GRIFFITHS et al.

By: Warren M. Cheek, Jr.
Warren M. Cheek, Jr.
Registration No. 33,367
Attorney for Applicants

WMC/dlk
Washington, D.C.
Telephone No. (202) 371-8850
February 4, 1998

ATTY DOCKET#: 263/PPNTIR1172US DUE DATE: 2-4-98

APPLICANT: Richard GRIFFITHS et al.

SERIAL NO.: 08/973,363 FILING DATE: December 4, 1997

TITLE: AVIAN CHD GENES AND THEIR USE IN METHODS FOR SEX
IDENTIFICATION IN BIRDS

RECEIPT OF THE FOLLOWING PAPERS IS ACKNOWLEDGED:

PCT TRANSMITTAL FORM, COVER LETTER, EXECUTED DECLARATION
(TO INCLUDE PTO FEE OF \$65.00) WITH COPIES OF REQUEST FOR
REFUND, COVER LETTER AND SMALL ENTITY DECLARATION,
ASSIGNMENT RECORDAL SHEET (TO INCLUDE PTO FEE OF \$40.00)

DATE: February 4, 1998

[Check No. 27184]



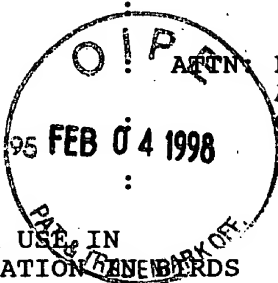
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Richard GRIFFITHS et al.

Serial No. 08/973,363

Filed December 4, 1997

AVIAN CHD GENES AND THEIR USE IN
METHODS FOR SEX IDENTIFICATION OF BIRDSATTN: REFUND SECTION,
ACCOUNTING DIVISION
OFFICE OF FINANCE

RECEIVED

30 NOV 1998

Legal Staff
International DivisionREQUEST FOR REFUNDHonorable Commissioner of Patents and Trademarks,
Washington, D.C. 20231

Sir:

In accordance with 37 CFR 1.28(a), a request is hereby made for a refund of \$854.00 of the \$1708.00 filing fee originally submitted with the application. This refund is based on the small entity status for the application, as supported by the attached executed Verified Statement Claiming Small Entity Status. The request is filed within two months of the date of the timely payment of the full filing fee.

It is submitted that the refund herein of \$854.00 is appropriate under 37 CFR 1.28(a) and may be credited to the Deposit Account of the undersigned, 23-0975.

Respectfully submitted,

Richard GRIFFITHS et al.

By: Warren M. Cheek, Jr.Warren M. Cheek, Jr.
Registration No. 33,367
Attorney for ApplicantsWMC/dlk
Washington, D.C.
Telephone No. (202) 371-8850
February 4, 1998

80 Rec'd

254-65
PCT/PTO 04 FEB 1998ATTORNEY DOCKET NUMBER
263/PPNTIR1172USTRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. §371U.S. APPLICATION NO.
(if known, see 37 CFR 1.3)
08/973,363International Application No.
PCT/GB96/01341International Filing Date
June 5, 1996Priority Date Claimed
June 6, 1995

Title of Invention

AVIAN CHD GENES AND THEIR USE IN METHODS FOR SEX IDENTIFICATION IN BIRDS

Applicant(s) For DO/EO/US

Richard GRIFFITHS and Bela TIWARI

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. §371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. §371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. §371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. §371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. §371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. §371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3)).
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☒ An executed oath or declaration of the inventor(s) (35 U.S.C. §371(c)(4)). **ATTACHMENT A**
9. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. §371(c)(5)).

Items 10. to 13. below concern other document(s) or information included:

10. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
11. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. **ATTACHMENT B**
12. ☐ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
13. ☒ Other items or information: **COPY OF SMALL ENTITY DECLARATION AND REQUEST FOR REFUND FILED CONCURRENTLY HERewith**

COPY, FINANCE DEPT., USPTO
CHARGE DEFICIENCIES
TO DEPOSIT ACCT. # 23-0975

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
08/973,363

INTERNATIONAL APPLICATION NO.
PCT/GB96/01341

ATTORNEY'S DOCKET NO.
263/PPNTR1172US

14. ☒ The following fees are submitted

CALCULATIONS

PTO USE ONLY

BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):

- ☐ Search Report has been prepared by the EPO or JPO..... \$ 930.00
☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO..... \$1,070.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$130.00

Claims	Number Filed	Number Extra	Rate		
Total Claims	-20 =		X \$22.00	\$	
Independent Claims	-3 =		X \$82.00	\$	
Multiple dependent claim(s) (if applicable)			+ \$270.00	\$	

TOTAL OF ABOVE CALCULATIONS =

\$130.00

Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28)

\$65.00

SUBTOTAL =

\$65.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

+

\$

TOTAL NATIONAL FEE =

\$

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +

\$40.00

TOTAL FEES ENCLOSED =

\$105.00

Amount to be refunded	\$
Amount to be charged	\$

- a. ☒ A check in the amount of \$105.00 to cover the above fees is enclosed. A duplicate copy of this form is enclosed.
b. ☐ Please charge my Deposit Account No. 23-0975 in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.
c. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-0975. A duplicate copy of this form is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

WENDEROTH, LIND & PONACK
805 Fifteenth St., N.W., Ste. 700
Washington, D.C. 20005

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

February 4, 1998

Warren M. Cheek, Jr.
SIGNATURE

Warren M. Cheek, Jr.
NAME

33,367
REGISTRATION NUMBER

[CHECK NO. 27184]